

Serial No. 09/995,830

Docket No.: 1614.1203

REMARKS

In accordance with the foregoing, the Title has been amended responsive to Item 1 of the Action, the submitted new Title taking into account the suggestions therefor in Item 1 of the Action. It is submitted that the Title is now "clearly indicative of the invention to which the claims are directed" and accordingly approval and entry of same are respectfully requested.

Further, claims 1, 14 and 18 have been amended to improve form and without change in substance. No new matter is presented and, therefore, approval and entry of the foregoing amended claims are respectfully requested.

Status of Claims

All of the pending claims 1-20 are rejected.

In accordance with the foregoing, claims 1 and 15 are amended to clarify salient features of the invention and claims 8 and 16 are amended to improve form.

Further, claims 1, 14 and 18 have been amended to approve form and without change of substance.

Item 3: Rejections of Claims 1-3, 10-15 and 17-20 for anticipation under 35 U.S.C. §102(e) by Elliott et al. (USP 6,422,328).

The rejections are respectively traversed.

As recited in independent claim 1, as amended herein, a supply switching circuit switches a supply target to which drive power is to be supplied and the first and second processing parts are startable independently of each other, based on the switching of the supply switching circuit. Moreover, in independent claim 15, as amended herein, a first operation and a second operation are independently performable in the information processing apparatus by switching a supply target to which electric power is to be supplied.

The above-described "supply switching circuit" of independent claim 1 and the "switching a supply target to which electric power is to be supplied" feature of independent claim 15 are recited in further detail in their respective dependent claims 8 and 16. In relation to claims 8 and 16, the Examiner admits, in Item 7 of the Office Action, that the "supply switching circuit" and its function of "switching a supply target to which electric power is to be supplied" are not disclosed or suggested in Elliott. More particularly, the Action states at page 6:

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"As per the "operation part" and "supply switching circuit" of these claims, that alternatively supplies "drive power to the first and second processing parts" or just the "second processing part", Elliott does not contain **explicit** teachings to this effect, for the two branches of circuitry that feed mux 150."

(Emphasis in original).

Accordingly, it is submitted that claims 1-3, 10-15, and 17-20 are allowable over Elliott.

Although claims 8 and 16 are rejected in Item 7 of the Office Action as being unpatentable over the combination of Elliott and Choi, it is submitted that claims 8 and 16 are allowable over the combination of Elliott and Choi for the reasons stated below in the Response to Item (7) of the Office Action. Accordingly, it is also submitted that independent claims 1 and 15 are allowable over the combination of Elliott and Choi.

Item 7: Rejection of Claims 8 and 16 for obviousness under 35 U.S.C. §103(a) over Elliott in view of Choi

Choi discloses a technique for automatically switching on and off the power of a computer system in performing reserve-recording, in order to reduce power consumption at the time of the reserve-recording.

The Examiner equates Choi's configuration of switching the power mode between a normal mode and a power saving mode with the function of the "supply switching circuit" of the present invention. However, referring to, for instance, paragraphs [0045] and [0046] of Choi, the switching between the normal mode and the power saving mode is performed, not by switching a supply target to which drive (electric) power is to be supplied, but simply by turning on and off the supply of power to the CPU 10. Considering that the entire computer system is turned off in the power saving mode of Choi, it is submitted that the above-described configuration of Choi is different from the configuration of the present invention, in which the supply switching circuit switches a supply target to which drive (electric) power is to be supplied. According to paragraph [0046], lines 6-11 of Choi, "if the power mode is converted into the power saving mode by the power control part 55, ... the monitor 40, the hard disk drive 50, and the CPU 10 are turned off, and thus the computer system is finally turned off." Further according to Choi, when the computer system is in the power saving mode, that is, when the computer system is turned off, the television receiver part 30 and the CPU 10 are turned off. As a result, it is impossible to receive and watch a TV program in the power saving mode of Choi. Accordingly, it is submitted that even if Choi is properly combinable with Elliott by the simple motivation of

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"judicious saving of electrical power" (page 6, line 21 of the Office Action), the same effects as are afforded by the present claimed invention cannot be produced. Accordingly, it is submitted that claims 8 and 16 are allowable over the combination of Elliott and Choi.

Item 6: Rejection of Claims 4-7 and 9 for obviousness under 35 U.S.C. §103(a) over Elliott in view of Townsend et al.

The rejection is respectfully traversed.

Claims 4-7 and 9 depend from independent claim 1. Accordingly, it is submitted that claims 4-7 and 9 will be rendered allowable once the rejection of independent claim 1 is withdrawn.

LACK OF PRIMA FACIE SHOWING OF OBVIOUSNESS, MPEP 2142 - 2143.03

It is respectively submitted that the contentions advanced in support of the obviousness rejections as in Items 2, 3, 6, and 7 of the Action do not meet the demanding standards set forth in the referenced MPEP Sections.

The Action purports to address "motivation", being afforded by the Townsend reference for the prior art combination relied upon in Item 6 of the Action, asserting:

...the motivation being the ability demonstrated by Townsend of the enabling more active user control of the selection of desired programmes."

(Action at page 5; emphasis in original) In fact, the Examiner has not identified any such "ability demonstrated by Townsend ..." and rather merely assumes that the same would be derived from the disclosure of Townsend.

Likewise, the asserted "motivation" for the substitution of "Bluetooth" in place of the rem 28 of Townsend is as follows:

"the motivation being to extend the options available to a wireless control user."

(Action at pages 5-6) It is submitted that this vague contention fails to establish motivation and, instead, resides in the unsubstantiated contentions of "it would have been obvious ..." which the above sections of the MPEP explicitly reject as not satisfying the *prima facie* obviousness standard.

The asserted obviousness of the combination in Item 7 likewise falls in the broad contention of "the judicious saving of electrical power when the Elliot Unit 200 is not needed,

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during direct broadcast reception." That vague assertion resides as well in the "it would have been obvious to ..." standard rejected by the MPEP.

For the foregoing reasons, it submitted that all of the obviousness rejections are defective and should be withdrawn.

CONCLUSION

In accordance with the forgoing, it is respectfully submitted that the pending claims distinguish patentably over the references of record, taken singularly or any proper combination, and that the application is in condition for allowance, which Action is earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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